

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Fifth Coast Guard District

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Portsmouth, VA 23704
Phone: (757) 398-6255

5720
2019-CGFO-02209

Barry Kaplan
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OCT 16 2019

Dear Mr. Kaplan:

This is the final response to your Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG), dated July 23, 2019, and received by this office on September 26, 2019. You are seeking all police reports, witness statements, emails and official communication, and any other responsive documents pertaining to the drowning and subsequent Search and Rescue of Rabbi Reuvan Bauman. He went missing on July 9, 2019 at the Back Bay National Wildlife Refuge / False Cape State Park.

A search of Sector Hampton Roads for documents responsive to your request produced a total of 109 pages. I have determined that 29 pages of the records are releasable in their entirety, 1 page is withheld in its entirety, and 79 pages are partially releasable pursuant to 5 U.S.C. § 552: (b)(2)(high) and (b)(6).

Enclosed are 109 pages with certain information withheld as described below:

FOIA Exemption 2 protects information related solely to the internal personnel rules and practices of an agency

FOIA Exemption 6 exempts from disclosure information which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The types of documents and/or information that we have withheld may consist of personnel names or other personally-identifying information, or various other documents and/or information belonging to a third party that are considered personal. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

I am the person responsible for the denial of your request. Also participating in this decision is LT Kate Lambert.

If you are not satisfied with the response to this request, you have the right to appeal. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date

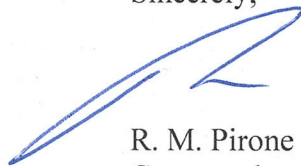
of this letter, to: Commandant (CG-611), ATTN: FOIA APPEALS, 2703 Martin Luther King Ave. STOP 7710, Washington DC, 20593-7710. You must follow the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

NO FEES

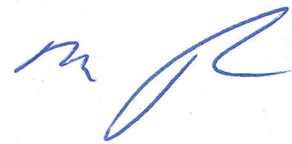
Provisions of the FOIA and Privacy Act allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge. 6 CFR § 5.11(d)(4).

If you need any further assistance or would like to discuss any aspect of your request you may send an e-mail to efoia@uscg.mil or call (202) 475-3522.

Sincerely,



R. M. Pirone
Commander, U.S. Coast Guard
Staff Judge Advocate



CDR,
USCG

Enclosures: Redacted Responsive Documents, 109 Pages